



February 23, 2005

HOUSE BILL No. 1202

DIGEST OF HB 1202 (Updated February 22, 2005 3:27 pm - DI 77)

Citations Affected: IC 16-41.

Synopsis: Nonsmoking area. Requires a restaurant, that permits a person who is less than 21 years old to enter, to designate a part of the dining area as a nonsmoking area.

Effective: July 1, 2005.

Smith V, Orentlicher, Becker

January 6, 2005, read first time and referred to Committee on Public Health.
February 22, 2005, amended, reported — Do Pass.

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HB 1202—LS 7253/DI 77+



February 23, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1202

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-41-37-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) A person who
3 smokes:

4 (1) in a public building, except in an area designated as a smoking
5 area under section 5 of this chapter;

6 (2) in the retail area of a grocery store or drug store that is
7 designated as a nonsmoking area by the store's proprietor;

8 (3) in the dining area of a restaurant that is designated and posted
9 as the restaurant's nonsmoking area by the restaurant's proprietor;

10 or

11 (4) in a school bus during a school week or while the school bus
12 is being used for a purpose described in section 2.3(3) of this
13 chapter;

14 commits a Class B infraction. However, the violation is a Class A
15 infraction if the person has at least three (3) previous unrelated
16 judgments for violating this section that are accrued within the twelve
17 (12) months immediately preceding the violation.

HB 1202—LS 7253/DI 77+



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- 1 (b) A restaurant that permits a person who is less than
2 twenty-one (21) years of age to enter the restaurant must designate
3 a part of the dining area as a nonsmoking area.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1202 as introduced.)

BECKER, Chair

Committee Vote: yeas 6, nays 3.

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